

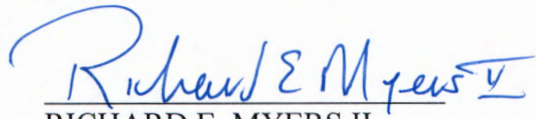
NO. 5:22-CT-3187-M

## ORDER

disclosure or discovery in an effort to obtain it without court action.” Fed. R. Civ. P. 37(a)(1). Additionally, the court’s local rules require a certification “that there has been a good faith effort to resolve discovery disputes prior to the filing of any discovery motions.” Local Civil Rule 7.1(c)(2); see generally Boykin Anchor Co., Inc. v. Wong, No. 5:10-CV-591-FL, 2011 WL 5599283, at \*3 (E.D.N.C. Nov. 17, 2011) (describing discovery motion requirements under federal and local rules). “When a party fails to comply with Local Civil Rule 7.1, a court may deny its motion.” Higgins v. Spence & Spence, PA., No. 5:07-CV-33-D(1), 2009 WL 536069, at \*2 (E.D.N.C. Mar. 3, 2009) (collecting cases). “Pro se, incarcerated parties are not exempt from Rule 37’s requirement that the moving party certify that he conferred or attempted to confer with the opposing party prior to filing the motion.” Bowden v. Wheeler, No. 5:21-CT-3038-FL, 2023 WL 1810477, at \*1 (E.D.N.C. Jan. 19, 2023) (citations and internal quotation marks omitted).

Plaintiff’s motion lacks any certification that plaintiff met and conferred with defendants and otherwise does not comply with the requirements of Local Civil Rule 7.1(c). See Fed. R. Civ. P. 37(a)(1). Accordingly, plaintiff’s motion to compel [D.E. 31] is DENIED.

SO ORDERED, this 27<sup>th</sup> day of December, 2023.

  
RICHARD E. MYERS II  
Chief United States District Judge